



## THE DAIRY PRODUCE LEVY REGULATIONS 1984

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DAVID BEATTIE, Governor-General

### ORDER IN COUNCIL

At the Government Buildings at Wellington this 14th day of May 1984

Present:

THE RIGHT HON. D. MACINTYRE PRESIDING IN COUNCIL

PURSUANT to the Dairy Board Act 1961, His Excellency the Governor General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

### REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Dairy Produce Levy Regulations 1984.

(2) These regulations shall come into force on the 1st day of June 1984.

**2. Interpretation**—In these regulations, unless the context otherwise requires,—

“The Act” means the Dairy Board Act 1961:

“Dairy company” means a manufacturer that is a company:

“General charges” means charges that may be fixed by the Board under section 41 of the Act by way of a general levy on dairy produce manufactured, or intended to be manufactured, by a manufacturer for sale:

“Manufacturer” means the owner or occupier (as the case requires) of a dairy factory registered under the Dairy Industry Regulations 1977\*:

\*S.R. 1977/808

“Superannuation charges” means charges that may be fixed by the Board under section 45 (2) of the Act by way of a special levy on dairy produce manufactured, or intended to be manufactured, by a company manufacturer for sale.

**3. Maximum amount of general charges**—For the purposes of section 41 (1) of the Act, the maximum amount of any charges shall be, for every kilogram of milkfat received, or contained in any dairy produce received, by a manufacturer to be used in the manufacture of dairy produce, 0.3 percent of the sum of the values of milkfat and solids-not-fat determined under section 26 of the Act in respect of the month when that milkfat or produce was so received.

**4. Maximum amount of superannuation charges**—For the purposes of section 45 (2) of the Act, the maximum amount of any superannuation charges shall be, for every kilogram of milkfat received, or contained in any dairy produce received, by a dairy company to be used in the manufacture of dairy produce, 0.3 percent of the sum of the values of milkfat and solids-not-fat determined under section 26 of the Act in respect of the month when that milkfat or produce was so received.

**5. Payment of levy**—(1) Where there are in force for any month any general charges, every manufacturer who during that month receives any milkfat, or dairy produce containing milkfat, to be used in the manufacture of dairy produce shall, not later than the 20th day of the following month, pay to the Board the amount of those charges.

(2) Where there are in force for any month any superannuation charges, every dairy company that during that month receives any milkfat, or dairy produce containing milkfat, to be used in the manufacture of dairy produce shall, not later than the 20th day of the following month, pay to the Board the amount of those charges.

(3) Notwithstanding subclauses (1) and (2) of this regulation, the Board may deduct from any money held by the Board for the credit of a manufacturer the amount of any charges owing by that manufacturer to the Board under either of those subclauses; and to that extent that manufacturer shall not be required to pay those charges to the Board.

**6. Manufacturers to furnish returns**—Every manufacturer shall cause to be furnished to the Board, as soon as is practicable after the last day of every month, a return—

(a) On a form provided by the Board; and

(b) Certified correct by the person preparing it,—

specifying the total quantity of milkfat received, or contained in any dairy produce received, by that manufacturer during that month to be used in the manufacture of dairy produce.

**7. Revocations and savings**—(1) The following regulations are hereby consequentially revoked:

(a) The Dairy Produce Superannuation Levy Regulations 1973\*:

(b) The Dairy Produce Superannuation Levy Regulations 1973, Amendment No. 1†:

(c) The Dairy Produce Levy Regulations 1978‡.

\*S.R. 1973/144  
†S.R. 1974/167  
‡S.R. 1978/19

(2) Any levy payable under any of the regulations revoked by subclause (1) of this regulation in respect of milkfat received by manufacturers before the commencement of these regulations shall continue to be payable as if those regulations had not been revoked.

P. G. MILLEN,  
Clerk of the Executive Council.

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EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations replace, in an amended form, the Dairy Produce Superannuation Levy Regulations 1973 and the Dairy Produce Levy Regulations 1978. The effect of the amendment is to alter the maximum amounts of the levies. Previously the maximum amount of the general levy on dairy produce was 0.3 cents per kilogram of milkfat and the maximum amount of the special levy (for superannuation purposes) on dairy produce was 0.6 cents per kilogram of milkfat. Now the maximum for each levy is to be 0.3 percent of the sum of the value (per kilogram) for milkfat and the value (per kilogram of milkfat) for solids-non-fat, for the time being fixed by the Dairy Products Prices Authority.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 17 May 1984.

These regulations are administered in the Ministry of Agriculture and Fisheries.